

FOR IMMEDIATE RELEASE

MEDIA RELEASE

FEBRUARY 14, 2018

North Bay nurse fired for speaking out about violence ordered back to work by arbitrator with full compensation

TORONTO, ON – An Ontario arbitrator has ruled that Sue McIntyre, a North Bay Regional Health Centre (NBRHC) nurse fired by the hospital after she spoke about workplace violence at a nursing conference and was quoted in a union media release, should get her job back. Further, in his decision, arbitrator Bram Herlich says that he found McIntyre had "no plan or intention to initiate a media campaign to sully the hospital's reputation" and that she should be "reinstated to her employment without loss of benefits or seniority and with full compensation."

Herlich found that there is "broad acceptance that workplace violence is prevalent in the hospital sector" and that the comments made by nurses in an OCHU media release following the Kingston conference mirror concerns expressed in Ontario Hospital Association documents and the New England Journal of Medicine.

The decision comes more than two years after North Bay regional dismissed McIntyre, one of several nurses who participated along with other nurses in a panel-type discussion at a conference organized by the Ontario Council of Hospital Unions (OCHU), the hospital division of the Canadian Union of Public Employees (CUPE).

The case raised important issues of free speech and the need for protections for workers who blow the whistle on workplace violence. The firing of McIntyre highlighted the climate of fear in the health sector about reporting workplace violence.

A CUPE poll of nearly 2,000 hospital sector members found that 44 per cent feared reprisal from the employer if they reported workplace violence. The same poll found that 68 per cent of direct care staff, like nurses, personal support workers and porters, had experienced workplace-related physical violence from patients in the last year; 20 per cent experienced physical violence more than nine times in a year, and 42 per cent had been sexually harassed or sexually assaulted.

"Our internal polling and the recent study by University of Stirling researchers reveals our hospitals to be violent workplaces that often intimidate staff into staying mum about the widespread nature of this problem. Sue McIntyre is a heroine to health care workers for her courage in telling the truth about how bad it is," says OCHU president Michael Hurley.

He urges the government of Ontario to now acknowledge that special circumstances exist which warrant support for the legislation introduced by the opposition, which would protect health care staff who report or speak up about workplace violence.

"Finally, North Bay Regional Health Centre needs to be held accountable by the province for squandering hundreds of thousands of public dollars fighting this case. I know that CUPE has spent almost \$500,000 defending Ms. McIntyre and I suspect the costs at the North Bay hospital are much, much higher. This is money that could have gone to keeping beds, programs and services open in North Bay.

"Someone in government needs to ask why persecuting this nurse for telling the truth about violence was a strategic priority for health care spending in this community," Hurley says.

-30-

For more information, please contact:

Michael Hurley
Stella Yeadon

President OCHU/CUPE
CUPE Communications

416-884-0770
416-559-9300